IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

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WRIT PETITION NO : 865 of 1995

Between:

D. Ramalinga Raju, S/o Rama Rao,
R/o Nagullanka, P. Gannavaram Mandal,
East Godavari District.

PETITIONER

AND

1 The General Manager, District Co-operative Central Bank,
Kakinada, E.G. District.
2 District Cooperative Officer, Kakinada, East Godavari District.
3 G.V.CH.S.N. Murthy, President, Nagullanka PACS,
Nagullanka, P. Gannavaram Mandlal,
E.G. District.

.RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records of the suspension order dt: 31-12-1994 on the file of the 1st Respondent herein and quash the same as abinitio void, illegal and without jurisdiction by issuance of Writ of Certiorari or any other appropriate Writ, Order or Direction.

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondents 1 and 2 : G.P.FOR CO OPERATION.

The Court made the following:

ORDER:

The subject matter of challenge in this writ petition is the order passed by the 1st respondent on 31-12-1994 placing the petitioner Ex. Secretary of Uppalaguptham , and working as Secretary in Nagullanka PACS, under suspension pending enquiry.

This Court by order in W.P.M.P.No.1004 of 1995 dated 23-1-1995 passed interim orders suspending the operation of the suspension order dated 31-12-1994 passed by the 1st respondent. It is submitted by Sri G.V.Shivaji, the learned counsel appearing on behalf of the petitioner, that the said interim order continues to remain in force till date. He fairly submits that the enquiry conducted against the petitioner was completed, punishment of dismissal was imposed on him and consequent upon the said order of dismissal being set aside in appeal, the petitioner continues to work as Secretary of Primary Agricultural Co-operative Society.

Recording the aforesaid submission of Sri G.V.Shivaji, and since the impugned order dated 31-12-1994 directing suspension of the petitioner pending enquiry, no longer survives in view of the enquiry itself having been completed and punishment imposed which punishment has also been subsequently set aside, the writ petition as filed has become infructuous.

The cause in the writ petition does not survive and the writ petition is accordingly closed as having become infructuous. No order as to costs.

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Justice Ramesh Ranganathan

Date: 06th July, 2005.
dvs

Copies to:

1. The General Manager, District Co-operative Central Bank, Kakinada, E.G. District.
2. District Cooperative Officer, Kakinada, East Godavari District.
3. 2 CCs to the Govt. Pleader for Co-operation, High Court of A.P.,Hyderabad (OUT).
4. Two CD copies.

HONOURABLE SRI JUSTICE RAMESH RANGANADHAN

W.P.No.865 OF 1995

06th July, 2005